

REMARKS / ARGUMENTS

Reconsideration of the application as amended is respectfully requested.

To clarify, claims 7-10 are drawn toward a method of providing a plurality of fishing lures utilizing a plurality of lure element.

The examiner respectfully rejected Claims 1 through 10 under 35 U.S.C. § 103(a) as being unpatentable over Tallerico.

In undertaking a determination of whether a reference, or a combination of references, renders a claim(s) obvious under 35 U.S.C. § 103(a), the examiner must show that the reference or combination of references teach or suggest every element of the claim(s) in question. MPEP § 706.02(j).

To clarify, the motivation for the present invention in the form of a kit stems from the variable nature of fishing itself and, in particular, the variations in different type of fish activity at different times. If certain types of fish are active in a manner beneficial to a fisherman, it is not possible to take advantage of this unless the equipment provided to attract such fish, i.e. the lures, can be adapted immediately to compensate for this activity. If a user is unprepared for adapting the equipment, then no such advantage can be had. The present embodiment provides a kit that allows for such changes to be made at the fishing site itself and by the user.

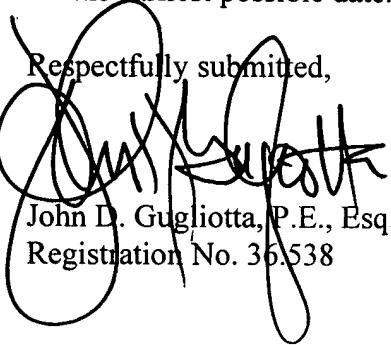
The cited reference discloses only a trolling lure, not capable of being cast and not modular. While it is possible to configure the present invention to creating a lure for trolling, the reverse is not necessarily, i.e. the Tallerico device cannot be used to create the present invention. Therefore, the advantages and features of the present invention are neither anticipated nor



Utility Patent
Ser. No. 10/689,750

disclosed by either of the above cited references.

Therefore, in view of foregoing amendments and clarifications, the applicant submits that allowance of the present application and all remaining claims, as amended, is in order and a formal Notice of Allowance is respectfully requested at the earliest possible date.

Respectfully submitted,

John D. Gugliotta, P.E., Esq.
Registration No. 36,538

The Law Offices of John D. Gugliotta
202 Delaware Building
137 South Main Street
Akron, OH 44308
(330) 253-5678
Facsimile (330) 253-6658